

**UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON**

**CRIMINAL PRODUCTIONS, INC.**

**Case No.: 3:16-cv-02094**

**Plaintiff(s),**

**v.**

**DOE-67.171.170.14**

**Defendant(s).**

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**Civil Case Assignment Order**

**1. Presiding Judge:** The above referenced case has been filed in the Portland Division of the U.S. District Court for the District of Oregon and assigned to:

**Presiding Judge . . . . . Hon. John V. Acosta**  
**Presiding Judge's Suffix Code\* . . . . . AC**

**\*These letters must follow the case number on all future filings.**

**2. Courtroom Deputy Clerk:** Questions about the status or scheduling of this case should be directed to:

Paul Gale  
Telephone: 503-326-8056  
Email: [paul\\_gale@ord.uscourts.gov](mailto:paul_gale@ord.uscourts.gov)

**3. Case Administrator/Docket Clerk:** Questions about filings or docket entries in this case should be directed to:

Telephone: 503-326-8050

**4. Place of Filing:** Any paper filings must be submitted to the Clerk of Court, Mark O. Hatfield U.S. Courthouse, 1000 S.W. Third Ave., Portland, OR, 97204. (*See* LR 3-1, LR 5-5.)

**5. District Court Website:** Information about local rules of practice, CM/ECF electronic filing requirements, responsibility to redact personal identifiers from filings, and other related information can be found on the Court's website at [ord.uscourts.gov](http://ord.uscourts.gov).

**6. Jurisdictional Authority of Magistrate Judges:**

a. **Pretrial Administration:** Pursuant to LR 72, the assigned United States Magistrate Judge is authorized to conduct all pretrial proceedings contemplated by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72 without further designation of the Court.

b. **Trial by Consent and Appeal Options:** Pursuant to LR 73, 28 U.S.C. § 636(c), and Fed. R. Civ. P. 73, all United States Magistrate Judges in this district are certified to exercise civil jurisdiction in assigned cases and, with the consent of the parties, enter final orders on dispositive

motions, conduct trial, and enter final judgment which may be appealed directly to the Ninth Circuit Court of Appeals (instead of a district judge).

Parties are encouraged to consent to the jurisdiction of a Magistrate Judge by signing and filing the (attached) Consent to Jurisdiction by a United States Magistrate Judge and Designation of the Normal Appeal Route. (*See* LR 5–5(c).) There will be no adverse consequences if a party elects not to consent to a Magistrate Judge. A Magistrate Judge, however, may be able to resolve a case earlier as they are primarily assigned only to civil cases.

Additional information about United States Magistrate Judges in the District of Oregon is available on the Court's website.

**DATED: October 31, 2016**

**MARY L. MORAN**  
**Clerk of Court**

by: /s/ D. St. Germain  
D. St. Germain, Deputy Clerk

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**Case Management Order: Peer-to-Peer Copyright Infringement Case**

Pursuant to Standing Order 2016-8, the Court orders that:

- 1.** Pursuant to FRCP 26 and 45, plaintiff has leave to take limited discovery prior to the initial FRCP 26 conference pursuant to a subpoena to the appropriate Internet Service Provider ("ISP") for records and other information which identify the subscriber and account holder assigned to the Doe IP address. The ISP subpoena must include a copy of Standing Order No. 2016-7 regarding the availability of *pro bono* counsel with any communication to the subscriber/account holder.
- 2.** Plaintiff may serve no more than one (1) additional FRCP 45 subpoena on any subscriber assigned an IP address for a deposition of not more than two (2) hours. Plaintiff shall take reasonable efforts to accommodate any subscriber in time and location and ensure that service of a subscriber subpoena also includes a copy of Standing Order No. 2016-7 regarding the availability of *pro bono* counsel.
- 3.** The parties must comply with all deadlines required by the Federal Rules of Civil Procedure, including Fed. R. Civ. P. 4(m) (requiring plaintiff to serve the defendant within 90 days after the complaint is filed, absent a finding of good cause), as well as the Local Rules of Civil Procedure for the District of Oregon. Within 30 days after plaintiff substitutes and serves a Doe IP address with a properly identified defendant, plaintiff shall file a written status report with the Court.
- 4.** Plaintiff's first communication with any person that it reasonably believes is the IP address subscriber/account holder or alleged infringer must include a copy of Standing Order No. 2016-7 regarding the availability of *pro bono* counsel.
- 5.** When filing any motion referring to communications with any person that it believes to be the IP address subscriber/account holder or alleged infringer, plaintiff shall file copies of those communications, as well as evidence that the communications were received, or provide good cause as to why such documents are not filed. All communications are to be maintained for in camera review until the action is terminated.

6. If the parties have not consented to the assigned Magistrate Judge, any Findings and Recommendation(s) issued by the assigned Magistrate Judge will be referred to a District Judge on the three-judge panel appointed by the Chief Judge to manage these cases.

**DATED: October 31, 2016**

**MARY L. MORAN**  
**Clerk of Court**

by: /s/ D. St. Germain  
D. St. Germain, Deputy Clerk

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**Consent to Jurisdiction by a Magistrate Judge  
and Designation of the Normal Appeal Route**

Pursuant to Fed. R. Civ. P. 73(b), as counsel for the party (parties) identified below, I consent to have a United States Magistrate Judge conduct any and all proceedings in this case, including entry of orders on dispositive motions, trial, and entry of final judgment. I understand that withholding consent will not result in any adverse consequences. Pursuant to Fed. R. Civ. P. 73(c), I agree that an appeal from a judgment entered at a Magistrate Judge's direction may be taken to the court of appeals as would any other appeal from a district court judgment.

**DATED:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Name and OSB ID:** \_\_\_\_\_

**E-mail Address:** \_\_\_\_\_

**Firm Name:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**City, State, Zip:** \_\_\_\_\_

**Parties Represented:** \_\_\_\_\_

cc: Counsel of Record